

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-6 and 8-9 are currently pending. Claims 1 and 4 are independent. Claims 1-6 are hereby amended. Claim 7 has been canceled without prejudice or disclaimer of subject matter. Claims 8 and 9 are hereby added. No new matter has been introduced. Support for this amendment is provided throughout the Specification. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

The claims have been amended to remove the recitation of “self-diagnostic” from claims 1 and 4, thereby obviating the 112 issue raised in the Office Action.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1, 2, and 4-6 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,311,011 to Kuroda (hereinafter, merely “Kuroda”) in view of U.S. Patent No. 6,698,020 to Zigmond et al. (hereinafter, merely “Zigmond”) and further in view of U.S. Publication No. 2006/0204225 to Chung et al. (hereafter, merely “Chung”).

Claim 1 recites, *inter alia*:

“A recording system for recording and/or reserving a program,
comprising:

...user information management means for storing user information about each requesting origin, wherein a recording substitution means obtains advertising information appropriate for a user attribute of the requesting origin via said connection means and inserting said advertising information in a recorded program in addition to original commercial information included in the recorded program or substituted for the original commercial information included in the recorded program.” (emphasis added)

As understood by Applicants, Kuroda relates to a device recorder for recording and playing data streams of audio, video and related information, as well as a device for displaying an Electronic Program Guide (EPG).

As understood by Applicants, Zigmond relates to displaying advertisements to viewers of a video programming feed at a household level.

As understood by Applicants, Chung relates to a recording medium for storing real time recording/reproduction information.

While Kuroda describes a recording system with a substitution request and Zigmond describes merely an advertisement and selection rules. However, combining Kuroda with Zigmond does not teach or suggest to insert advertising information in a recorded program in addition to original commercial information, as recited in claim 1. The commercial information is a type of advertising information, so it is an advantage to provide additional or replacement advertising information to the program with original advertising information.

Applicants respectfully submit that Kuroda, Zigmond and Chung, taken alone or in combination, fail to teach or suggest the features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of a recording system for recording and/or reserving wherein a recording substitution means obtains advertising information appropriate for a user attribute of the requesting origin via said connection means and inserting said advertising information in a recorded program in addition to original commercial information included

in the recorded program or substituted for the original commercial information included in the recorded program, as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, claims 4, 8 and 9 are patentable.

Therefore, Applicants submit that independent claims 1, 4, 8 and 9 are patentable.

Applicants traverse the rejection of claim 3 based on Admitted Prior Art.

Applicants respectfully submit that the Office Action has failed to make a prima facie case of obviousness with regard to claim 3.

III. DEPENDENT CLAIMS

The other claims are dependent from independent claims 1 and 4, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

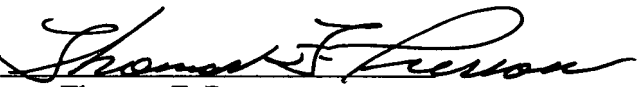
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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